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Attorneys for Respondent and Defendant  
 SANTA BARBARA COUNTY  
 BOARD OF SUPERVISORS

UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA

EXXON MOBIL CORPORATION,

Case No.: 2:22-cv-03225 DMG (MRWx)

Petitioner and Plaintiff,

v.

SANTA BARBARA COUNTY  
 BOARD OF SUPERVISORS,

Respondent and Defendant,

and

ENVIRONMENTAL DEFENSE  
 CENTER, GET OIL OUT!,  
 SANTA BARBARA COUNTY  
 ACTION NETWORK, SIERRA  
 CLUB, SURFRIDER  
 FOUNDATION, CENTER FOR  
 BIOLOGICAL DIVERSITY, AND  
 WISHTOYO FOUNDATION,

Intervenors.

**JOINT STIPULATION TO EXCUSE  
 PARTIES FILING PHASE I CROSS-  
 MOTIONS FOR SUMMARY  
 JUDGMENT FROM  
 REQUIREMENT TO LODGE A  
 PROPOSED "STATEMENT OF  
 UNCONTROVERTED FACTS AND  
 CONCLUSIONS OF LAW" UNDER  
 LOCAL RULE 56-1 AND TO FILE A  
 "STATEMENT OF GENUINE  
 DISPUTES" UNDER LOCAL RULE  
 56-2**

Judge: Hon. Dolly M. Gee  
 Courtroom: 8C, First St. Courthouse

Hearing Date: June 16, 2023  
 Time: 2:00 p.m.

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COUNTY COUNSEL  
 County of Santa Barbara  
 105 East Anapamu Street  
 Santa Barbara, CA 93101  
 (805) 568-2950

**TO THIS HONORABLE COURT, ALL PARTIES, AND THEIR  
ATTORNEYS OF RECORD:**

Petitioner and Plaintiff Exxon Mobil Corporation, Respondent and Defendant Santa Barbara County Board of Supervisors, and Intervenor Environmental Defense Center, Get Oil Out!, Santa Barbara County Action Network, Sierra Club, Surfrider Foundation, Center for Biological Diversity, and Wishtoyo Foundation (the “Parties”), by and through their respective counsel, hereby stipulate and agree as follows:

WHEREAS on September 20, 2022, the Court bifurcated this matter into two phases, as proposed by the Parties;

WHEREAS during Phase I, the Parties are expected to file cross-motions for summary judgment addressing Petitioner and Plaintiff Exxon Mobil Corporation’s first cause of action for Petition for Writ of Administrative Mandate pursuant to California Code of Civil Procedure section 1094.5;

WHEREAS Respondent and Defendant Santa Barbara County Board of Supervisors, and Intervenor Environmental Defense Center, Get Oil Out!, Santa Barbara County Action Network, Sierra Club, Surfrider Foundation, Center for Biological Diversity, and Wishtoyo Foundation will file Motions for Summary Judgment on February 13, 2023, and Replies on the Motion for Summary Judgment and Oppositions to Petitioner and Plaintiff Exxon Mobil Corporation’s Cross-Motion for Summary Judgment on May 1, 2023;

WHEREAS Petitioner and Plaintiff Exxon Mobil Corporation will file a Cross-Motion for Summary Judgment and an Opposition to Respondent and Defendant and Intervenor’s Motions for Summary Judgment on March 30, 2023 and will file a Reply on the Motion for Summary Judgment on May 31, 2023;

WHEREAS in such an action, the Court does not utilize the standard analysis for determining whether a genuine issue of material fact exists;

1 WHEREAS in such an action, the Court’s function “is to determine  
 2 whether or not as a matter of law the evidence in the administrative record  
 3 permitted [Respondent and Defendant Santa Barbara County Board of  
 4 Supervisors] to make the decision it did.” *Occidental Eng’g Co. v. I.N.S.*, 753  
 5 F.2d 766, 769 (9<sup>th</sup> Cir. 1985);

6 WHEREAS the administrative record in this matter was filed with the  
 7 Court on January 13, 2023;

8 THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and  
 9 between Petitioner and Plaintiff Exxon Mobil Corporation, Respondent and  
 10 Defendant Santa Barbara County Board of Supervisors, and Intervenor  
 11 Environmental Defense Center, Get Oil Out!, Santa Barbara County Action  
 12 Network, Sierra Club, Surfrider Foundation, Center for Biological Diversity,  
 13 and Wishtoyo Foundation, by and through their respective counsel, as follows:  
 14 The Parties filing cross-motions for summary judgment during Phase I of this  
 15 matter addressing Petitioner and Plaintiff Exxon Mobil Corporation’s first cause  
 16 of action – Petition for Writ of Administrative Mandate pursuant to California  
 17 Code of Civil Procedure section 1094.5 – are excused from lodging a proposed  
 18 “Statement of Uncontroverted Facts and Conclusions of Law” with their notice  
 19 of motion for summary judgment pursuant to Local Rule 56-1 and are excused  
 20 from filing with their opposition papers a separate “Statement of Genuine  
 21 Disputes” pursuant to Local Rule 56-2.

22 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

23 Dated: January 20, 2023

RACHEL VAN MULLEM  
 COUNTY COUNSEL

24  
 25 By: /s/ - Mary Pat Barry  
 26 Mary Pat Barry  
 Senior Deputy County Counsel  
 Attorneys for Respondent and Defendant,  
 27 SANTA BARBARA COUNTY  
 BOARD OF SUPERVISORS  
 28

1 Dated: January 20, 2023

O'MELVENY & MYERS, LLP

2 By: /s/ - Justine M. Daniels  
3 Dawn Sestito  
4 Justine M. Daniels  
5 Attorneys for Petitioner and Plaintiff,  
6 EXXON MOBIL CORPORATION

7 Dated: January 20, 2023

ENVIRONMENTAL DEFENSE CENTER

8 By: /s/ - Linda Krop  
9 Linda Krop  
10 Margaret M. Hall  
11 Attorneys for Intervenors,  
12 ENVIRONMENTAL DEFENSE CENTER,  
13 GET OIL OUT!, SANTA BARBARA  
14 COUNTY ACTION NETWORK, SIERRA  
15 CLUB, and SURFRIDER FOUNDATION

16 Dated: January 20, 2023

CENTER FOR BIOLOGICAL DIVERSITY

17 By: /s/ - Elizabeth Jones  
18 Julie Teel Simmonds  
19 Elizabeth Jones  
20 Attorneys for Intervenors,  
21 CENTER FOR BIOLOGICAL DIVERSITY  
22 and WISHTOYO FOUNDATION

23 **Attestation re: Signatures of Registered CM/ECF Filers**

24 Pursuant to Local Civil Rule 5-4.3.4(a)(2)(i), I, Mary Pat Barry, as the  
25 filer of this stipulation, attest that all other signatories listed on the signature  
26 page(s), and on whose behalf the filing is submitted, concur in the filing's  
27 content and have authorized the filing.

28 Dated: January 20, 2023

By: /s/ - Mary Pat Barry  
Mary Pat Barry